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**FILE COPY**

October 1, 2013

Mr. Neil Wilkinson  
Office of the Ethics Commissioner  
Suite 1250, 9925 109 Street NW  
Edmonton, Alberta, T5K 2J8

Dear Sir:

**Re: OFFICE OF THE ETHICS COMMISSIONER - ALBERTA**

Thank you for your letter of September 17, 2013 with respect to the allegations that have arisen suggesting that I have engaged in activities with respect to the *Builders Lien Act* which constitute a breach of section 3 of the *Conflicts of Interest Act*.

At no time did I engage in any activities which were a breach of section 3 of the *Conflicts of Interest Act*.

*Efforts with respect to Review of the Builders Lien Act.*

I have, as an MLA, over the last number of years engaged in efforts to see that the *Builders Lien Act* is reviewed. Based on my own personal experience and based on the experience of a number of my constituents and representatives of the construction industry I am of the view that the *Builders Lien Act* is an antiquated piece of legislation that needs to be updated. I hold the strong view that the *Builders Lien Act* allows for frivolous liens to be filed which create hardship for general contractors and homeowners. Thus, I have, on a number of occasions, engaged in discussions with members of cabinet, fellow MLAs and members of the civil service in order to bring about change in the builders lien regime in Alberta. In these circumstances, I did raise the example of a property where I was of the view that a frivolous lien was placed. I was using this as an example during my dealings with the civil service and they indicated that they would investigate the matter. In no way during these discussions did I use my office or powers to influence the civil servants with respect to these steps rather, I was simply exercising my rights as a private citizen.

All of these efforts were undertaken with the best interests of all Albertans at heart and I saw all of these efforts as being related to my duties as an MLA. Further, any legislative change that might come of my efforts would clearly be non-retroactive and therefore of no personal benefit to me.

## Appendix A

### *Complaint with respect to lien by Marcie Horyn against NewView Homes.*

I believe that there may be some confusion as to the circumstances surrounding Marcie Horyn. It is correct that Ms. Horyn did some landscaping on properties that NewView Homes built. However, to my memory at no time did Ms. Horyn lien any NewView Homes properties. With respect to my dealings with Service Alberta surrounding Ms. Horyn it is my memory that Service Alberta were conducting an investigation into Ms. Horyn and I was contacted with respect to that investigation. During those conversations I did relay my concerns surrounding the inadequates of the Builders' Lien regime.

### *Conclusion*

In short, I adamantly believe that I have not in any way breached the *Conflicts of Interest Act*. However, I recognized that an unfortunate perception has been created here and I will be mindful of that in the future.

Yours truly,

A handwritten signature in dark ink, appearing to read "Sandhu", with a stylized flourish above the name.

Peter Sandhu, MLA